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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/357,764	07/21/1999	GUY NATHAN	871-63	9715

23117 7590 01/11/2007
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EXAMINER

HUYNH, SON P

ART UNIT	PAPER NUMBER
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2623

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/11/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	09/357,764	NATHAN, GUY	
	Examiner	Art Unit	
	Son P. Huynh	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 11-15 have been considered but are moot in view of the new ground(s) of rejection.

Claims 1-10 and 16 have been canceled.

Claim Objections

2. Claims 11-15 are objected to because of the following informalities:

Claim 11 recite the limitation "control devices: comprises..." in line 11-12, should be replaced as – **control devices comprises: --**

Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said

subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 11-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nathan et al. (WO 96/12258) in view of Goldstein (US 5,410,326) and Cohen (US 6,198,408). (Note: since U.S 2003/0031096 claims WO 96/12258 as foreign application priority data, the US 2003/0031096 hereinafter referred to as a translation of the WO 96/12258).

Regarding claim 11, Nathan et al. teaches a jukebox system, comprising:

a plurality of jukebox devices (one shown in figure 1), wherein each jukebox device includes a microprocessor (CPU 1), a storage device (21) for storing audiovisual information that can be reproduced by the jukebox device in response to user request, an audio system (5,53,54) for playing audio, a visual display (61) for displaying video, and a communication system (i.e. modem 41) for enabling the jukebox to communicate through an audiovisual distribution network (network connected to central server-paragraphs 0043- 0057, 0072 – figure 1);

a server (central server) remote to the jukebox devices that provides services to the jukebox devices, wherein the server and the jukebox can communicate with each other through the distribution network (see including, but is not limited to, figure 1, paragraph 0053);

a plurality of remote control devices (31) for the jukebox devices, each of the remote control device comprises a remote transmitter (i.e. infrared transmitter –

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paragraphs 0056-0060) that is associated with a receiver connected to a control circuit of the jukebox device (i.e. infrared receiver in input control circuit 3 to receive signal transmitted from remote control – see including, but are not limited to, figure 1, paragraphs 0058-0060);

Nathan further discloses each remote control allow access to and control of various commands such as microphone stop/start command, audio volume control command, etc. (paragraphs 0064, 0087); the manager can control all the settings which are possible with remote control...definition of commands to be validated or invalidated on the remote control (paragraph 0116). Inherently, each remote control device **operable to** transmit a plurality of key codes for controlling a plurality of functions of a jukebox device, and operable to control one of the jukebox devices only when the jukebox device recognizes a control signal, wherein the control signal comprises a key code sent to control a selected feature of the jukebox so that the command is validated and function corresponding to the command is performed;

at least one jukebox of the plurality of jukebox devices further comprising:
a remote control code storage mechanism that stores the registration number and other information such as software series number, name of the establishment, etc. entered when it is activated for the first time or when approval for a new registration -in registration mode- paragraphs 0075-0076; Nathan further discloses taskscheduling module for scheduling the tasks and the tasks are queued and organized in priority order (paragraphs 0129-0147). In “in service” mode, the jukebox only performs the requested function when the registration number is validated (paragraphs 0076-0077,

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0129). The remote control comprises plurality of control keys (paragraphs 0058-0060)

However, Nathan does not specifically disclose a specific key that, when actuated, triggers a signal comprising a remote control identification code which facilitates the storing of this remote control identification code as a saved control code, recognizing the control signal comprising a remote control identification code identifying the remote control device, stored on the remote control device and transmitted from the remote control device, the jukebox comprises: a remote control code storage that stores a saved remote control identification code sent by an associated remote control device, a code storage that stores a server identification code sent by the server connected to the jukebox device, the server identification code identifying another remote control device, and storage location that stores the transmitted control identification code for use in comparing the saved remote control identification code and/or the server identification code with transmitted remote control identification code stored to determine whether or not to respond to control signals from the remote control transmitting the remote control identification code.

Sakazume discloses a transmitter, in writing mode, transmits a transmission code (stored in identification code memory of transmitter) including at least an identification code uniquely assigned to the transmitter; and a receiver comprising: a memory capable of writing a received identification code; then in operation mode, the transmitter transmits a transmission code including at least an identification code uniquely assigned to the transmitter; and a receiver comprising: a memory capable of storing a received identification code; a signal processing unit for comparing the received identification

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code with an identification code stored in the memory, and, if the comparison shows that they are identical, generating a control signal to a part to be controlled (see include, but is not limited to, figures 1-2, 6-10, col. 5, lines 30-67, col. 6, lines 55-60, col. 7, lines 36-50). Thus, Sakazume disclose a specific key that, when actuated, triggers a signal comprising a remote control identification code which facilitates the storing of this remote control identification code as a saved control code (any element of transmitter that, in writing mode, generates identification code uniquely assigned to the transmitter for transmitting to the receiver and the identification code is written into memory of the receiver), control the receiver only when the receiver recognizes the control signal comprising a remote control identification code identifying the remote control device, stored on the remote control device and transmitted from the remote control device (generating control signal, function when the identification code, uniquely assigned to the transmitter and stored on the transmitter, sent by the transmitter in operation mode, with the identification code of the transmitter stored in the memory of the receiver when the two identification codes are identical); the receiver comprises: a remote control code storage that stores a saved remote control identification code sent by an associated remote control device (memory used to store identification code of transmitter sent by the transmitter in writing mode); Since Sakazume discloses the comparison between the two identification codes (col. 5, lines 30-40; col. 7, lines 25-50). Inherently, the receiver comprises a storage location that stores the transmitted control identification code for use in comparing the saved remote control identification code and/or the server identification code with transmitted remote control identification code stored to

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determine whether or not to respond to control signals from the remote control transmitting the remote control identification code so that the identification codes can be compared (also, see Applicant's admitted the inherency of "storage location..." in Applicant's response, page 7, paragraph 2, filed on 10/19/2006). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Nathan to use the teaching as taught by Sakazume in order to improve security and to minimize accessing by unauthorized user (see col. 4, lines 22-28). However, Nathan does not specifically disclose a server code storage mechanism that stores a server identification code sent by the server, the server identification code identifying another remote control device.

Goldstein discloses a unique identification code assigned to each remote control device is downloaded from the head end cable system to the cable converter box. Only a remote control device that has an ID number verified by the cable TV converter will be able to control the cable TV converter (read on comparing the codes). Goldstein also discloses if the user has two remote controls in his household, one may be assigned to a converter in the bedroom, while another may be assigned to the family room... The cable converter may download a second ID received from the cable system, identifying the remote as belonging either to the bedroom or family room...(col. 4, line 55-col. 5, line 42). Thus, Goldstein discloses server code storage mechanism that stores a server identification code sent by the server, the server identification code identifying another remote control device (remote control code of second remote control ID to cable converter. Therefore, it would have been obvious to one of ordinary skill in the art at the

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time the invention was made to modify Nathan to use the teaching as taught by Goldstein in order to reduce degree of difficulty for users (col. 1, lines 31-63) and to improve security (col. 3, lines 1-11, col. 5, lines 1-42).

Regarding claim 12, Nathan in view of Sakazume and Goldstein discloses the system as discussed in the rejection of claim 11. Sakazume further teaches the receiver include a learning mode (writing mode) that enables the remote control identification code (remote control transmitter identification code) to be obtained from the remote control (remote control transmitter) and stored on the memory of the receiver when the specific key (any element generates transmission code in writing mode) is actuated and to be stored on the receiver as the saved remote control transmitter identification code (see include, but is not limited to, col. 5, lines 30-67; col. 7, lines 25-50).

Regarding claim 13, Nathan in view of Sakazume and Goldstein discloses the system as discussed in the rejection of claim 11. Nathan also discloses the remote controls multiple functions and all setting of the jukebox (col. paragraphs 0087-0107, 0116). It is obvious to one of ordinary skill in the art that the remote control is operable to activate and deactivate the jukebox device in order to improve convenience for user.

Regarding claim 14, Nathan in view of Sakazume and Goldstein discloses the system as discussed in the rejection of claim 11. Nathan further discloses the jukebox comprises a payment device (fee payment device 35) and the remote control controls

multiple functions and all setting of the jukebox (col. paragraphs 0087-0107). It is obvious that the remote control is operable to activate and deactivate a payment device on the jukebox device to improve convenience.

Regarding claim 15, Nathan in view of Cohen and Goldstein discloses the system as discussed in the rejection of claim 11. Sakazume further teaches the learning mode (writing mode) as discussed in the rejection of claim 12. It is obvious that the learning mode is incorporated into an operating system (e.g. signal processing unit) of the receiver in order to provide convenience for user to operate the system. However, Nathan in view of Sakazume and Goldstein does not specifically disclose the Learning mode being triggered by touching a special button displayed on the display device of the receiver. Official Notice is taken that using touch screen to display buttons that allow user to instruct the display device to perform different functions is well known in the art. For example, the user uses touch screen to perform system configuration, to perform data selection, etc. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Nathan in view of Sakazume and Goldstein to use the well-known teaching in the art in order for the user to select data displayed on the screen easily.

Conclusion

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5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Dilorenzo (US 6,438,450) discloses multi-room entertainment system with in room media player.

Keller et al. (US 6,587,403) discloses music jukebox.

Kleiman (US 5,959,945) discloses system for selectively distributing music to a plurality of jukeboxes.

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son P. Huynh whose telephone number is 571-272-7295. The examiner can normally be reached on 9:00 - 6:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher S. Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Son P. Huynh

January 5, 2007


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